

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SHARON BOBBITT, Individually and On) No. 04-12263-PBS
Behalf of All Others Similarly Situated,)

Plaintiff,)

vs.)

ANDREW J. FILIPOWSKI, et al.,)

Defendants.)

JAMES F. HOWARD, Individually and On) No. 06-11072-PBS
Behalf of All Others Similarly Situated,)

Plaintiff,)

vs.)

ANDREW J. FILIPOWSKI, et al.,)

Defendants.)

 ~~PROPOSED~~ ORDER APPROVING PLAN OF ALLOCATION OF SETTLEMENT
PROCEEDS

This matter having come before the Court on Plaintiffs' motion for approval of the Plan of Allocation of settlement proceeds in the above-captioned action; the Court having considered all papers filed and proceedings had herein; and otherwise being fully informed in the premises;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. For purposes of this Order, the terms used herein shall have the meanings set forth in the Amended Stipulation of Settlement dated as of March 20, 2008 ("Stipulation").

2. Pursuant to and in compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all Persons and entities who are Class Members, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to all Persons and entities who are Class Members to be heard with respect to the Plan of Allocation.

3. The Court hereby finds and concludes that the formula for the calculation of the claims of Authorized Claimants which is set forth in the Notice of Pendency and Proposed Settlement of Class Action, Motion for Attorney Fees and Settlement Fairness Hearing ("Notice") sent to Class Members provides a fair and reasonable basis upon which to allocate the proceeds of the Settlement Fund established by the Stipulation among Class Members, with due consideration having been given to administrative convenience and necessity. This Court hereby finds and

concludes that the Plan of Allocation set forth in the Notice is, in all respects, fair, reasonable and adequate and the Court hereby approves the Plan of Allocation.

IT IS SO ORDERED.

DATED: 6/24/08



THE HONORABLE PATTI B. SARIS
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 17, 2008.

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